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Co-Lead Counsel for Direct Purchaser Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

Case No. 3:07-md-1827 SI

MDL No. 1827

This Document Relates to:

ALL DIRECT PURCHASER ACTIONS

**STIPULATION AND [PROPOSED]
ORDER RE APPLICATION OF CLASS
CERTIFICATION ORDER TO SANYO
CONSUMER ELECTRONICS CO., LTD.**

Undersigned counsel, on behalf of the Direct Purchaser Plaintiffs and SANYO Consumer Electronics Co., Ltd. respectfully request that the Court enter the following order.

WHEREAS, Direct Purchaser Plaintiffs filed their Third Amended Consolidated Complaint on December 2, 2009 (Docket No. 1407);

WHEREAS, in that complaint Direct Purchaser Plaintiffs named as a defendant SANYO Consumer Electronics Co., Ltd., which had not been named in any previous complaint filed by Direct Purchaser Plaintiffs in this litigation;

WHEREAS, Direct Purchaser Plaintiffs' motion for class certification was briefed and argued prior to the filing of the Third Amended Consolidated Complaint;

1 WHEREAS, the Court issued an Order granting in part and denying in part Direct Purchaser
2 Plaintiffs' motion for class certification on March 28, 2010 (Docket No. 1641);

3 THEREFORE, pursuant to Federal Rule of Civil Procedure 23(c)(1)(C), Direct Purchaser
4 Plaintiffs and SANYO Consumer Electronics Co., Ltd. stipulate as follows:

5 (1) that the Direct Purchaser Plaintiffs' motion for class certification previously filed as noted
6 above shall be treated as if filed in regard to claims asserted in the Third Amended Complaint
7 against SANYO Consumer Electronics Co., Ltd.;

8 (2) that all defenses against class certification that were presented by and on behalf of the
9 defendants prior to the Court's Order of March 28, 2010 granting in part and denying in part the
10 Direct Purchaser Plaintiffs' motion for class certification, and all issues raised in any motion for
11 reconsideration by the defendants, shall be treated as if presented by and on behalf of SANYO
12 Consumer Electronics Co., Ltd.;

13 (3) that the Court's March 28, 2010 class certification Order shall apply to SANYO Consumer
14 Electronics Co., Ltd.; and

15 (4) that SANYO Consumer Electronics Co., Ltd. shall have full rights of appeal commensurate
16 with any party that was a defendant at the time of the March 28, 2010 class certification order.

17 Dated: July 22, 2010

18 *s/ Richard M. Heimann*

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27 *Direct Purchaser Co-Lead Counsel*

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8 *Counsel for Defendant Sanyo Consumer Electronics Co., Ltd.*

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10 Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the filing of this
11 document has been obtained from Richard M. Heimann and Allison A. Davis.

12 **ORDER**

13 SO ORDERED this 23rd day of July, 2010.

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16 THE HONORABLE SUSAN ILLSTON
17 United States District Judge
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